

December 18, 2013

LAKE COUNTY COMMISSIONERS' MEETING MINUTES

ROBERT E. AUFULDISH, PRESIDENT
JUDY MORAN, COMMISSIONER
DANIEL P. TROY, COMMISSIONER
AMY ELSZASZ, CLERK

JASON W. BOYD, ADMINISTRATOR
LEGAL COUNSEL
JOEL DIMARE, BUDGET DIRECTOR
NEWS MEDIA

(Tape 2013-1218)

CALL TO ORDER: Commissioner Aufuldish called the meeting to order at 10:05 a.m., December 18, 2013.

ROLL CALL: Upon the roll being called all were present.

OPEN TO THE PUBLIC: Commissioner Aufuldish asked if anyone in the audience wished to address the Board. Mr. Raymond Tylecki, E. 185th Street in Euclid, spoke about his concerns with RTA and Laketran routes to the eastern part of Lake County. He wondered if there could be an extension of the red line or possibly a commuter rail to service the existing system. He understands that RTA and Laketran fall under different taxing districts. He distributed a copy of an RTA report and analysis indicating the need for expansion to the Commissioners.

Commissioner Troy stated that NOACA has looked at rail and the Greater Cleveland RTA did this study which indicated extensions of some of their existing rail lines. There are problems in determining how many people would use it because the capital investment for a rail is so expensive. Federal grants help to purchase Laketran buses. The issue is that no one has stepped forward with resources to construct a light rail system.

Mr. Tylecki asked if Laketran could partner with RTA to make transfers easier, especially from eastern Cuyahoga County to Lake County.

Commissioner Troy reported that the Northeast Ohio Sustainable Communities Consortium is looking at the transportation, planning, infrastructure decisions that make sense between now and 2040. Another topic of discussion is how to publicly transport people to industrial areas of Lake County for work. People do not all work downtown anymore.

RESOLUTIONS:

1. **RESOLUTION ACCEPTING A CONSTRUCTION AND MAINTENANCE SURETY FOR ROAD AND SITE IMPROVEMENTS FOR SUMMERWOOD SUBDIVISION-PHASE 4, IN CONCORD TOWNSHIP (20131218\U01)(SD-408)**

On a motion of Commissioner Moran, seconded by Commissioner Troy, the foregoing resolution was adopted with the vote as follows: "AYES": Commissioners: Aufuldish, Moran and Troy "NAYS": None

2. **RESOLUTION AUTHORIZING PLEDGE RELEASE NO. 1 FOR SUMMERWOOD SUBDIVISION PHASE 4 IN CONCORD TOWNSHIP (20131218\U02)(SD-408)**

On a motion of Commissioner Moran, seconded by Commissioner Troy, the foregoing resolution was adopted with the vote as follows: "AYES": Commissioners: Aufuldish, Moran and Troy "NAYS": None

3. **RESOLUTION AUTHORIZING MODIFICATION NO. 2 TO THE PROFESSIONAL SERVICES AGREEMENT FOR THE HUNTING LAKE DRIVE AND WATERFOWL WAY STORM SEWER IMPROVEMENTS IN CONCORD TOWNSHIP (20131218\U03)(E-3)**

On a motion of Commissioner Moran, seconded by Commissioner Troy, the foregoing resolution was adopted with the vote as follows: "AYES": Commissioners: Aufuldish, Moran and Troy "NAYS": None

4. **RESOLUTION TRANSFERRING CASH FROM LCDU SEWER DISTRICT TRANSFERS -OUT TO OWDA BOND RETIREMENT TRANSFERS-IN (20131218\U01)(UT-2)**

On a motion of Commissioner Moran, seconded by Commissioner Troy, the foregoing resolution was adopted with the vote as follows: "AYES": Commissioners: Aufuldish, Moran and Troy "NAYS": None

5. **RESOLUTION APPROVING PLANS, SPECIFICATIONS AND ESTIMATES OF COST IN THE AMOUNT OF \$115,753.44 FOR CHAGRIN RIVER WALK OFFSITE WATERLINE EXTENSION IN THE CITY OF WILLOUGHBY (JOB NO. 13-37) FOR THE LAKE COUNTY DEPARTMENT OF UTILITIES (20131218\U02)(SD-391)**

On a motion of Commissioner Moran, seconded by Commissioner Troy, the foregoing resolution was adopted with the vote as follows: "AYES": Commissioners: Aufuldish, Moran and Troy "NAYS": None

6. **RESOLUTION AWARDING A BID CONTRACT TO HD SUPPLY WATERWORKS, LTD. FOR COLD WATER METERS FOR THE LAKE COUNTY DEPARTMENT OF UTILITIES (20131218\U03)(UT-4)**

On a motion of Commissioner Moran, seconded by Commissioner Troy, the foregoing resolution was adopted with the vote as follows: "AYES": Commissioners: Aufuldish, Moran and Troy "NAYS": None

7. **RESOLUTION APPROVING FINAL ESTIMATE NO. 2 IN THE AMOUNT OF \$20,553.20 WITH KARVO PAVING COMPANY AND ACCEPTING A THREE YEAR MAINTENANCE BOND IN THE AMOUNT OF \$153,593.00 FOR HARDY ROAD WATERLINE IMPROVEMENT PROJECT NO 323W (20131218\U04)(UT-4)**

On a motion of Commissioner Moran, seconded by Commissioner Troy, the foregoing resolution was adopted with the vote as follows: "AYES": Commissioners: Aufuldish, Moran and Troy "NAYS": None

8. **RESOLUTION RECLASSIFYING KENNETH STONEMAN TO THE POSITION OF SUPERINTENDENT IN THE LAKE COUNTY DEPARTMENT OF UTILITIES, EFFECTIVE DECEMBER 30, 2013 (20131218\U05)(UT-3)**

On a motion of Commissioner Moran, seconded by Commissioner Troy, the foregoing resolution was adopted with the vote as follows: "AYES": Commissioners: Aufuldish, Moran and Troy "NAYS": None

9. **RESOLUTION HIRING DAVID CONWAY FOR THE POSITION OF OPERATOR TRAINEE IN THE LAKE COUNTY DEPARTMENT OF UTILITIES, EFFECTIVE DECEMBER 30, 2013 (20131218\U06)(UT-3)**

On a motion of Commissioner Moran, seconded by Commissioner Troy.

Commissioner Aufuldish stated that this resolution and the next one are replacement hires for the Department of Utilities.

The foregoing resolution was adopted with the vote as follows: "AYES": Commissioners: Aufuldish, Moran and Troy "NAYS": None

10. **RESOLUTION HIRING NICOLE ERKKILA FOR THE POSITION OF LABORATORY ASSISTANT IN THE LAKE COUNTY DEPARTMENT OF UTILITIES, EFFECTIVE DECEMBER 30, 2013 (20131218\U07)(UT-3)**

On a motion of Commissioner Moran, seconded by Commissioner Troy, the foregoing resolution was adopted with the vote as follows: "AYES": Commissioners: Aufuldish, Moran and Troy "NAYS": None

11. **RESOLUTION ACCEPTING THE RETIREMENT RESIGNATION OF MARK BRENKUS FROM HIS POSITION OF SUPERVISOR WITH THE LAKE COUNTY DEPARTMENT OF UTILITIES, EFFECTIVE DECEMBER 28, 2013 (20131218\U08)(UT-3)**

On a motion of Commissioner Moran, seconded by Commissioner Troy, the foregoing resolution was adopted with the vote as follows: "AYES": Commissioners: Aufuldish, Moran and Troy "NAYS": None

12. **RESOLUTION AUTHORIZING THE LAKE COUNTY DEPARTMENT OF JOB AND FAMILY SERVICES CHILD SUPPORT ENFORCEMENT DIVISION TO ENTER INTO A IV-D SERVICE CONTRACT WITH THE LAKE COUNTY PROSECUTOR FOR CHILD SUPPORT SERVICES, EFFECTIVE JANUARY 1, 2014 THROUGH DECEMBER 31, 2014 (20131218\JFS01)(JFS-2)**

On a motion of Commissioner Moran, seconded by Commissioner Troy.

Commissioner Troy stated these are annual occurrences where we take advantage of IV-D Federal funding where we get 66% and we match with 34%. He asked if our participation is the at the same level as in the past?

Mr. Matt Battiato, Job & Family Services Director, explained that all three contracts are for the same level. There is no increase in the contract amounts, which is a credit to the Department.

The foregoing resolution was adopted with the vote as follows: "AYES": Commissioners: Aufuldish, Moran and Troy "NAYS": None

13. **RESOLUTION AUTHORIZING THE LAKE COUNTY DEPARTMENT OF JOB AND FAMILY SERVICES CHILD SUPPORT ENFORCEMENT DIVISION TO ENTER INTO A IV-D SERVICE CONTRACT WITH THE LAKE COUNTY DOMESTIC RELATIONS COURT FOR CHILD SUPPORT SERVICES, EFFECTIVE JANUARY 1, 2014 THROUGH DECEMBER 31, 2014 (20131218\JFS02)(JFS-2)**

On a motion of Commissioner Moran, seconded by Commissioner Troy, the foregoing resolution was adopted with the vote as follows: "AYES": Commissioners: Aufuldish, Moran and Troy "NAYS": None

14. **RESOLUTION AUTHORIZING THE LAKE COUNTY DEPARTMENT OF JOB AND FAMILY SERVICES CHILD SUPPORT ENFORCEMENT DIVISION TO ENTER INTO A IV-D SERVICE CONTRACT WITH THE LAKE COUNTY JUVENILE COURT FOR CHILD SUPPORT SERVICES, EFFECTIVE JANUARY 1, 2014 THROUGH DECEMBER 31, 2014 (20131218\JFS03)(JFS-2)**

On a motion of Commissioner Moran, seconded by Commissioner Troy, the foregoing resolution was adopted with the vote as follows: "AYES": Commissioners: Aufuldish, Moran and Troy "NAYS": None

15. **RESOLUTION AWARDED A FIVE (5) YEAR BID CONTRACT IN THE AMOUNT OF \$178,423.32 TO MAJOR WASTE DISPOSAL SERVICES, INC. FOR TRASH HAULING FOR COUNTY BUILDINGS FOR THE LAKE COUNTY BUILDINGS AND GROUNDS DEPARTMENT (20131218\C01)(C-7)**

On a motion of Commissioner Moran, seconded by Commissioner Troy, the foregoing resolution was adopted with the vote as follows: "AYES": Commissioners: Aufuldish, Moran and Troy "NAYS": None

16. **RESOLUTION REAPPOINTING ANTHONY P. DEBEVC AND ARTHUR Q. LINDROSE TO THE LAKE COUNTY OHIO PORT AND ECONOMIC DEVELOPMENT AUTHORITY BOARD OF DIRECTORS FOR FOUR-YEAR TERMS COMMENCING JANUARY 1, 2014 AND ENDING DECEMBER 31, 2017 (20131218\C02)(B-192)**

On a motion of Commissioner Moran, seconded by Commissioner Troy.

Commissioner Troy explained when the Lake County Ohio Port and Economic Development Authority was first formed there were less than 4-year terms for some to insure staggered terms. This seven-member board now has all members in four year terms. Mr. Debevc is a leader in a critical component in the local economy, of the County's wine industry, and has been on the board since its inception and Mr. Lindrose filled an unexpired term vacancy and has been a member for less than a year, but he has been a long-time member of the Carpenter's Union. We want to keep the good work of the Port Authority going by reappointing these two people.

The foregoing resolution was adopted with the vote as follows: "AYES": Commissioners: Aufuldish, Moran and Troy "NAYS": None

17. **RESOLUTION REAPPOINTING CHIEFS MARK H. KISH AND WAYNE BAUMGART TO THE LAKE COUNTY NARCOTICS EXECUTIVE BOARD FOR THREE (3) YEAR TERMS COMMENCING JANUARY 1, 2014 AND EXPIRING DECEMBER 31, 2016 (20131218\C03)(B-17)**

On a motion of Commissioner Moran, seconded by Commissioner Troy.

Commissioner Moran reported that she sits on the Narcotics Board and these two members expressed a desire and willingness to remain on the Board. They have done a lot of great work and they are up to the task and challenge of this Board. There is a lot of work to be done. The Lake County Police Association submitted a letter of recommendation.

The foregoing resolution was adopted with the vote as follows: "AYES": Commissioners: Aufuldish, Moran and Troy "NAYS": None

18. **RESOLUTION REAPPOINTING CHRISTOPHER P. TUCCI TO THE LAKE COUNTY LAW LIBRARY RESOURCES BOARD FOR A NEW TERM EXPIRING DECEMBER 31, 2018 (20131218\C04)(B-19)**

On a motion of Commissioner Moran, seconded by Commissioner Troy, the foregoing resolution was adopted with

the vote as follows: "AYES": Commissioners: Aufuldish, Moran and Troy "NAYS": None

19. **RESOLUTION AUTHORIZING EXECUTION OF AGREEMENTS BETWEEN THE LAKE COUNTY BOARD OF COMMISSIONERS AND VARIOUS ENTITIES AND ORGANIZATIONS FOR THE FY-2013 COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS (20131218\C05)(C-46)**

On a motion of Commissioner Moran, seconded by Commissioner Troy.

Ms. Marian Norman, reported there are 26 recipients receiving from \$360,000 to \$7,000 for programs that include housing rehabilitation, homeless shelters, children going to camp, Housing Authority project repairs in Willoughby, and other HUD-approved projects. The fiscal calendar is from October 1, 2013 through September 30, 2014. The funds are already in the system.

Commissioner Aufuldish replied there are over \$1.4 million available and it goes toward programs such as Lifeline's 211 system and the Lake County General Health District.

Commissioner Troy reported that Federal Government funding streams are diminishing. The Community Development Block Grant (CDBG) program was started by President Nixon and enhanced by President Reagan because the thought was that local levels of government know their needs and where the dollars would best be spent. This is what the Commissioners do every year with these funds. Some of these dollars are being used for curb cuts and door openers for ADA accessibility for community centers.

Mr. Boyd added that some funding is used to support the economic development loan program in the community through the Port Authority. There is a job creation requirement for the program.

The foregoing resolution was adopted with the vote as follows: "AYES": Commissioners: Aufuldish, Moran and Troy "NAYS": None

20. **RESOLUTION AUTHORIZING EXECUTION OF AGREEMENTS BETWEEN THE LAKE COUNTY BOARD OF COMMISSIONERS AND VARIOUS ENTITIES AND ORGANIZATIONS FOR THE FY-2013 HOME INVESTMENT PARTNERSHIP PROGRAM FUNDS (20131218\C06)(C-46)**

On a motion of Commissioner Moran, seconded by Commissioner Troy.

Ms. Marian Norman reported that these are tenant-based rental assistance programs through Lifeline and Extended Housing and the Fair Housing Resource Agency to help people catch up with their mortgage, to provide a down payment assistance program for 10-20 new home buyers and to provide 8 hours of training on mortgages. The Western Reserve Community Development Corporation operations also receive funding through this program.

The foregoing resolution was adopted with the vote as follows: "AYES": Commissioners: Aufuldish, Moran and Troy "NAYS": None

21. **RESOLUTION AUTHORIZING EXECUTION OF A WORKERS' COMPENSATION MANAGEMENT SERVICE AGREEMENT BETWEEN THE LAKE COUNTY BOARD OF COMMISSIONERS AND COMPENSABLE BENEFITS, EFFECTIVE JANUARY 1, 2014 THROUGH DECEMBER 31, 2014 (20131218\C07)(INS)**

On a motion of Commissioner Moran, seconded by Commissioner Troy.

Mr. William Margalis reported that the fee reflects a 3% increase over the last year and they have worked for the County for over 20 years.

The foregoing resolution was adopted with the vote as follows: "AYES": Commissioners: Aufuldish, Moran and Troy "NAYS": None

22. **RESOLUTION SUPPORTING THE EXPANSION OF THE HACH-OTIS AUDUBON SANCTUARY AND STATE NATURE PRESERVE IN WILLOUGHBY HILLS BY THE AUDUBON SOCIETY OF GREATER CLEVELAND AND WESTERN RESERVE LAND CONSERVANCY (20131218\C08)(C-107)**

On a motion of Commissioner Moran, seconded by Commissioner Troy.

Commissioner Aufuldish stated that the Audubon Society wishes to acquire the back portions of four properties and asked the County Commissioner to adopt this resolution, which is a resolution of support. There is no financial commitment associated with this piece of legislation.

The foregoing resolution was adopted with the vote as follows: "AYES": Commissioners: Aufuldish, Moran and Troy "NAYS": None

23. **RESOLUTION SETTING MEETINGS OF THE LAKE COUNTY BOARD OF COMMISSIONERS (20131218\C09)(C-107)**

On a motion of Commissioner Moran, seconded by Commissioner Troy.

Commissioner Troy reported the first Regular Commissioners Meeting will be on Thursday, January 9, 2014 at 10:00 a.m. and the Organizational Meeting is scheduled for Monday, January 13, 2014 at 11:00 a.m.

The foregoing resolution was adopted with the vote as follows: "AYES": Commissioners: Aufuldish, Moran and Troy "NAYS": None

24. **RESOLUTION ESTABLISHING HOLIDAYS FOR WHICH THE COUNTY OFFICES CLOSE DURING THE YEAR 2014 (20131218\C10)(C-107)**

On a motion of Commissioner Moran, seconded by Commissioner Troy.

Commissioner Troy reported they are the same holidays at the State, except for the day after Thanksgiving.

The foregoing resolution was adopted with the vote as follows: "AYES": Commissioners: Aufuldish, Moran and Troy "NAYS": None

25. **RESOLUTION APPROVING PAYMENT OF BILLS AS LISTED ON THE COMMISSIONERS' APPROVAL JOURNAL IN THE AMOUNT OF \$1,163,811.61 (20131218\BC01)(C-4)**

On a motion of Commissioner Moran, seconded by Commissioner Troy, the foregoing resolution was adopted with the vote as follows: "AYES": Commissioners: Aufuldish, Moran and Troy "NAYS": None

26. **RESOLUTION APPROVING PURCHASE ORDERS AS LISTED ON THE COMMISSIONERS' PURCHASE ORDER APPROVAL JOURNAL IN THE AMOUNT OF \$519,450.63 (20131218\BC02)(C-17)**

On a motion of Commissioner Moran, seconded by Commissioner Troy, the foregoing resolution was adopted with the vote as follows: "AYES": Commissioners: Aufuldish, Moran and Troy "NAYS": None

27. **RESOLUTION INCREASING AND DECREASING APPROPRIATIONS FOR VARIOUS GENERAL AND NON-GENERAL FUND ACCOUNTS (20131218\BC03)(C-111)**

On a motion of Commissioner Moran, seconded by Commissioner Troy, the foregoing resolution was adopted with

December 18, 2013

the vote as follows: "AYES": Commissioners: Aufuldish, Moran and Troy "NAYS": None

28. RESOLUTION TRANSFERRING CASH AND APPROPRIATIONS WITHIN VARIOUS GENERAL AND NON-GENERAL FUND ACCOUNTS (20131218\BC04)(C-111)

On a motion of Commissioner Moran, seconded by Commissioner Troy, the foregoing resolution was adopted with the vote as follows: "AYES": Commissioners: Aufuldish, Moran and Troy "NAYS": None

29. RESOLUTION ESTABLISHING A FUND TO BE KNOWN AS THE MICROWAVE/PHONE PROJECTS FUND WITH VARIOUS REVENUE AND APPROPRIATION LINES (20131218\BC05)(C-111)

On a motion of Commissioner Moran, seconded by Commissioner Troy.

Mr. Boyd explained that the County's phone and voice mail system is 24 years old and is in need of replacing and updating over the next 18 months.

The foregoing resolution was adopted with the vote as follows: "AYES": Commissioners: Aufuldish, Moran and Troy "NAYS": None

30. RESOLUTION APPROVING THE 2014 TEMPORARY APPROPRIATION MEASURE FOR FUNDS OUTSIDE THE GENERAL FUND (20131218\BC06)(C-111)

On a motion of Commissioner Moran, seconded by Commissioner Troy.

Commissioner Troy explained that this resolution authorizes a temporary budget for funds outside of the General Fund such as Job & Family Services, Utilities, Special Projects Funds and the Crime Lab. A permanent budget will be adopted before March 31, 2014.

The foregoing resolution was adopted with the vote as follows: "AYES": Commissioners: Aufuldish, Moran and Troy "NAYS": None

DEPARTMENTAL REPORTS:

UTILITIES - Commissioner Troy asked how the County was doing as far as waterline breaks this winter? Mr. Rick Martin, Executive Director of the Utilities Department, reported with the usual freeze and thaw cycle there are an accelerated amount of breaks during the winter. Normally there are 30 breaks in the month of January. The Department makes adjustments to its planning for infrastructure improvements after reviewing what has happened over the winter.

STORMWATER - none

JOB AND FAMILY SERVICES - none

COUNTY ADMINISTRATOR - Mr. Jason Boyd, County Administrator, wished everyone a happy holidays.

DIRECTOR OF ADMINISTRATIVE SERVICES - none

FINANCE - none

CLERK - none

LEGAL - none

OLD BUSINESS: - none

NEW BUSINESS: - Commissioner Moran is a member of the Lake County Narcotics Board and members have recently attended a heroin summit at the Cleveland Clinic and an Opiate Task Force Meeting. As of November 24, 2013, 24 people died in Lake County from heroin overdoses. Narcan is a drug used to counter the effects of an opiate overdose, and it was given by paramedic squads 331 times since September. This number does not include Concord, Willoughby Hills and Willowick. The Board is working to allow first responders such as police officers to carry Narcan. Currently paramedics can only carry Narcan. The Board is laying the groundwork for next year. Mr. Battiato, who serves on the Opiate Task Force, reported that they are also working on drug treatment and traffickers.

Commissioner Moran wished everyone a happy holiday.

PUBLIC COMMENT: Commissioner Aufuldish asked if anyone in the audience wished to address the Board. No one present wished to address the Board.

EXECUTIVE SESSION:

- Personnel, Discipline
- Economic Development
- Legal, Pending Litigation

EXECUTIVE SESSION: On a motion of Commissioner Moran, seconded by Commissioner Troy, the Board convened an Executive Session at 10:50 am to discuss legal matters pertaining to imminent litigation, with the vote as follows:

"AYES": Commissioners: Aufuldish, Moran and Troy "NAYS": None

The Lake County Board of Commissioners recessed Executive Session at 10:58 am.

The Lake County Board of Commissioners reconvened Executive Session at 10:59 am.

On a motion of Commissioner Moran seconded by Commissioner Aufuldish, the Board terminated the Executive Session at 12:03 pm, with the vote as follows:

"AYES": Commissioners: Aufuldish, Moran and Troy "NAYS": None

December 18, 2013

ADJOURN: On a motion of Commissioner Moran, seconded by Commissioner Troy, the Board adjourned the meeting at 12:04 pm, with the vote as follows:

"AYES": Commissioners: Aufuldish, Moran and Troy "NAYS": None

Minutes approved this thirtieth day of December, 2013.

BOARD OF LAKE COUNTY COMMISSIONERS

ROBERT E. AUFULDISH, PRESIDENT

JUDY MORAN, COMMISSIONER

DANIEL P. TROY, COMMISSIONER

AMY ELSZASZ, CLERK